

NOTE: This order is nonprecedential

# United States Court of Appeals for the Federal Circuit

2008-1107

PBI PERFORMANCE PRODUCTS, INC.,

Plaintiff-Appellant,

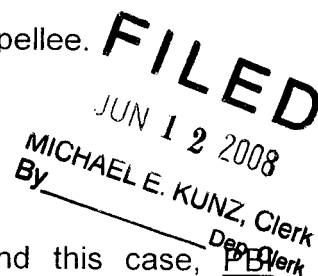
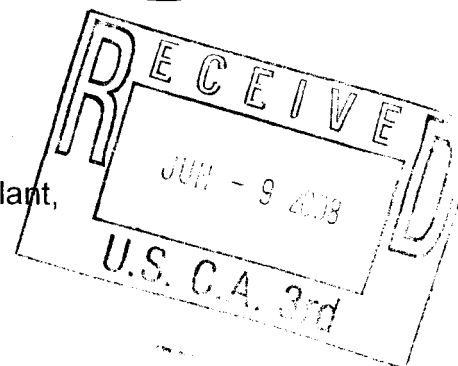
v.

NORFAB CORPORATION,

Defendant-Appellee.

ON MOTION

ORDER



Upon consideration of the parties' joint motion to remand this case, Performance v. NorFab, to the United States District Court for the Eastern District of Pennsylvania, no. 05-CV-04836, for further proceedings consistent with the settlement agreement reached by the parties and, specifically, to allow the parties to jointly move the district court for vacatur of its August 29, 2007 order invalidating U.S. Patent No. 6,624,096,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

**MAY 30 2008**

Date

cc: Robert H. Hammer, III, Esq.  
Anthony S. Volpe, Esq.

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ISSUED AS A MANDATE: \_\_\_\_\_

Jan Horbaly  
Clerk

*Jan Horbaly*

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

**MAY 30 2008**

**JAN HORBALY**  
CLERK

**MAY 30 2008**

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I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE.  
UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

By: *Jan Horbaly* Date: *5/30/08*